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BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP

Chairman

GARY PIERCE

Commissioner

BRENDA BURNS

Commissioner

BOB BURNS

Commissioner

SUSAN BITTER SMITH

Commissioner

Arizona Corporation Commission

DOCKETED

DEC 18 2014

DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF TELEPORT COMMUNICATIONS
AMERICA, LLC FOR APPROVAL OF AN
ORDER RESCINDING THE BOND
REQUIREMENT CONTAINED IN ACC
DECISIONS NOS. 68269 AND 73557

DOCKET NO. T-20874A-14-0331

DECISION NO. 74856

ORDER

Open Meeting
December 11 and 12, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On September 11, 2014, Teleport Communications America, LLC ("Teleport" or "Applicant") submitted an Application requesting rescission of the \$200,000 performance bond requirements contained in Decision Nos. 68269 and 73557.

Background

2. On November 8, 2005, in Decision No. 68269, the Arizona Corporation Commission ("Commission") ordered TCG Phoenix to procure a performance bond equal to \$200,000. TCG Phoenix docketed a notice, dated December 16, 2005, that it had procured a performance bond equal to \$200,000.

3. On October 17, 2012, in Decision No. 73557, the Commission approved the merger of TCG Phoenix into Teleport. In the same Decision, the Commission ordered that the bond requirements imposed on TCG Phoenix in Decision No. 68269 be applied to Teleport. Teleport docketed a notice, dated January 11, 2013, that it had secured a performance bond in compliance with

1 Decision No. 73557. Teleport also delivered a Surety Rider to the Commission's Business office
2 updating ownership of the bond as a result of the merger. The Business Office is in possession of this
3 Surety Rider.

4 **Compliance**

5 4. According to the Corporations Division, Teleport is in good standing. The Compliance
6 Section of the Utilities Division reports that Teleport is currently in compliance. The Consumer
7 Services Section of the Utilities Division reports there have been no complaints or opinions about
8 Teleport for the period of January 1, 2011 to September 16, 2014.

9 **Staff Recommendations**

10 5. The Commission has, in appropriate circumstances, relieved telecommunications
11 providers of the obligation to maintain a performance bond or ISDLOC. Utilities Division Staff
12 ("Staff") recommends Teleport be relieved of the \$200,000 performance bond requirements
13 contained in Decision Nos. 68269 and 73557.

14 6. The Applicant states that for its bond cancellation purposes, it is sufficient for the
15 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,
16 discontinue and be released from the performance bond required by Decision Nos. 68269 and 73557.
17 The Applicant requests, based on a request from its surety company, that the ordering paragraph also
18 reference the name of the surety company, Travelers Casualty and Surety Company of America. Staff
19 believes it is appropriate to grant this request.

20 7. Teleport indicated to Staff the Surety Rider should be released and returned to the
21 following name and address:

22 Ms. Jackie Rivera
23 Western Region Service Center
24 2535 E 40th Ave
25 Suite D32
26 Denver, CO 80205

26 CONCLUSIONS OF LAW

27 1. Teleport Communications America, LLC is a public service corporation within the
28 meaning of Article XV of the Arizona Constitution.

3. The Commission, having reviewed the filing and Staff's Memorandum dated November 25, 2014, concludes that it is in the public interest to approve the Teleport Communications America, LLC Application as proposed and discussed herein.

IT IS THEREFORE ORDERED that the Application of Teleport Communications America, LLC. to terminate the performance bond requirements contained in Decision Nos. 68269 and 73557 be and hereby is approved.

[illegible]

IT IS FURTHER ORDERED that the Surety Bond Rider on file with the Commission on behalf of Teleport Communications America, LLC be returned to the following name and address provided by the Applicant:

Ms. Jackie Rivera
Western Region Service Center
2535 E 40th Ave
Suite D32
Denver, CO 80205

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

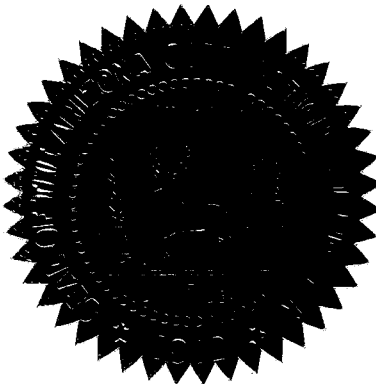
CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 18th day of December, 2014.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:MAC:sms\BH

1 SERVICE LIST FOR: Teleport Communications America, LLC
2 DOCKET NO. T-20874A-14-0331

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